

PROB 12C  
(7/9)

Report Date: April 26, 2012

**United States District Court****for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Derick Hughes

Case Number: 2:11CR00055-001

Address of Offender: Spokane RRC, Spokane, WA 99202

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: 10/07/2011

Original Offense: Burglary of a United States Post Office, 18 U.S.C. § 2115; Mail Theft, 18 U.S.C. § 1708; Theft of Government Property, 18 U.S.C. § 641

Original Sentence: Probation - 36 Months

Type of Supervision: Probation

Asst. U.S. Attorney: Russell E. Smoot

Date Supervision Commenced: 10/07/2011

Defense Attorney: John Barto McEntire, IV

Date Supervision Expires: 10/06/2014

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

**Violation Number**      **Nature of Noncompliance**

- 1      **Special Condition # 18:** You shall reside in a residential reentry center (RRC) for a period of up to 180 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

**Supporting Evidence:** On April 25, 2012, this officer received a telephone call from the director of the residential re-entry center in Spokane, Washington. The director informed this officer that the offender was "no longer welcome in their program." This officer requested that the RRC provide specific documentation of the rule violations to date.

On April 26, 2012, this officer contacted the case manager at the RRC. The undersigned officer was informed that the offender had rule violations on the following dates:

- 1) February 21, 2012
- 2) March 1, 2012
- 3) April 3, 2012
- 4) April 10, 2012 (twice on this day)
- 5) April 11, 2012
- 6) April 18, 2012
- 7) April 25, 2012

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On February 21, 2012, the offender's mother dropped off tobacco-related contraband for him at the RRC. All of the above listed rule violations at the RRC were for tobacco-related products and/or smoking. The RRC is a non-smoking facility. The RRC modified their protocol after numerous tobacco/smoking-related rule violations occurred in the facility. As a result, offenders are able to check-out their tobacco-related products from RRC staff when they leave the facility. Mr. Hughes signed and acknowledged receipt of this amended program requirement. It should be noted that the case manager at the RRC did not submit an infraction on the offender when he told her to "fuck off" on March 23, 2012.

Since the offender was admitted into the RRC program on February 9, 2012, there have been on-going noncompliance issues with the offender. As a result, this officer has met with the offender, the Pioneer Human Services (PHS) chemical dependency counselor, and/or RRC staff, on two separate occasions. On five separate occasions, this officer has contacted PHS, RRC staff and/or the offender, to intervene and attempt to redirect the offender's non-compliant behaviors.

In addition to RRC rule violations, this officer has observed or heard anger outbursts by the offender. These examples have included the offender leaving messages on the undersigned U.S. probation officer's telephone stating: "What would happen if I am told to leave Pioneer. What would happen?" In another instance, the offender left the RRC staff's office in the presence of this officer and the PHS chemical dependency counselor, slamming the door behind him. On two other occasions, the offender left two messages on this officer's voice mail, on the same day, stating, "I am getting more and more pissed off...I am really ticked about being here."

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 04/26/2012

s/Brenda J. Kuest  
04/26/2012

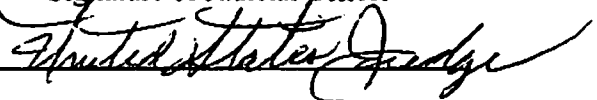
Brenda J. Kuest  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Other

  
Signature of Judicial Officer

  
United States Judge